

dredge provided that BMC purchased it from Argo and kept it on land until the transfer had taken place. Despite this oral agreement, the Defendants have not purchased the dredge, and it is alleged to be in use by the Defendants in waters off the Mississippi coast. Both James N. Skinner and Suzanne Skinner are alleged to be citizens of Alabama. BMC is alleged to be an Alabama limited liability partnership. BMC is also registered as a foreign limited liability partnership in Mississippi, with a registered agent in Hattiesburg, Mississippi.

The Defendants contend that the Court does not have jurisdiction over them because none of them have sufficient minimum contacts with the State of Mississippi, citing *International Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945). Nevertheless, Defendants are alleged to have asserted ownership over a vessel within the geographical jurisdiction of this Court, and “a good-faith allegation in the complaint that the *res* is present within the geographical jurisdiction of the court is *the* jurisdictional fact which gives the court *in personam* jurisdiction over the defendant purported to own the *res*.” *Great Prize, S.A. v. Mariner Shipping Party, Ltd.*, 967 F.2d 157, 159 (5th Cir. 1992). Thus, the Court concludes that it may properly assert personal jurisdiction over the Defendants. The Motion to Dismiss will therefore be denied.

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion to Dismiss [18] pursuant to FED. R. CIV. P. 12(b)(2) filed by Defendants BMC Construction L.L.P., James N. Skinner and Suzanne Skinner is **DENIED**.

SO ORDERED AND ADJUDGED this the 27th day of August, 2007.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE